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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/980,434	11/28/2001	Hiroyuki Yamamoto	9683/95	3419	
7590	07/26/2006		EXAMINER		
Brinks Hofer Gilson & Lione P O Box 10395 Chicago, IL 60610		RAMPURIA, SHARAD K			
		ART UNIT		PAPER NUMBER	
		2617			

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/980,434	YAMAMOTO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sharad Rampuria	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12 May 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-62 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

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## **DETAILED ACTION**

I. The Art Unit location of this application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

II. The current office-action is in response to the amendments/remarks filed on 05/12/2006. Accordingly, Claims 1-62 are pending for further examination as follows:

### ***Claim Rejections - 35 USC § 102***

III. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

IV. Claims 1-62 are rejected under 35 U.S.C. 102 (e) as being anticipated by Kimoto et al. [US 6115611].

Regarding Claims 1, 14-19, 27, 40, 43-44, 49, 52-54 Kimoto disclosed a location reporting method (Abstract), comprising the steps of:

Receiving by a mobile communication terminal (1F; Fig.1), from a computer (2B; Fig.1) through a mobile communication network, down data containing a request (i.e. In the

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information center 2E, the retrieving unit 22E retrieves corresponding information or service in the accumulating unit 21E on the basis of the request from the mobile terminal 1J, and the information/service transmitting unit 23E, takes out the retrieved information or service from the accumulating unit 21E, and sends the information or service to the mobile terminal 1J. The mobile terminal 1J accumulates the received information or service in the accumulating unit; col.27; 17-25) for location information; (col.16; 23-33)

Identifying with said mobile communication terminal a format of said down data (i.e. a converting unit; col.56; 46-60)

Acquiring at said mobile communication terminal location information indicating a location of said mobile communication terminal; (i.e. The up-load data transmitting unit 13 transmits information or a service relating to the above position information as up-load data to the information center 2. The information/service utilizing unit 14 utilizes information or a service relating to the position information transmitted from the information center 2; col.16; 23-33) and

Adding, at said mobile communication terminal, said acquired location information to said down data in accordance with said format of said down data, transmitting a resulting data to said computer as up data. (i.e. In the information center 2, the accumulating unit 21 accumulates information or a service relating to information of a position according to a movement of the mobile terminal 1. The retrieving unit 22 receives position information transmitted from the mobile terminal 1, and retrieves information or a service relating to the position information accumulated in the accumulating unit 21. The accumulation controlling unit 23 accumulates in the accumulating unit 21 the information or the service relating to position information as up-

load data transmitted through the up-load data transmitting unit 13 in the mobile terminal 1. The information/service transmitting unit 24 takes out information or a service relating to the position information retrieved by the retrieving unit 22 from the accumulating unit 21, and transmits the information or the service relating to the position information to the mobile terminal 1 having transmitted the position information; col.16; 34-50)

Regarding Claims 2-7, 28-32, 50-51, 55-57, 61-62 Kimoto disclosed A location reporting method as described in claims 1, 27, 49 respectively, wherein said steps performed by said mobile communication terminal further include the step of: detecting whether said down data contains a character string requesting location information acquisition time; and if said character string requesting location information acquisition time is detected then; (i.e. an URL; col.57; 15-34)

Wherein, said acquiring step further includes acquiring the acquisition time of said location information; and wherein, said transmitting step further includes adding said acquired location information acquisition time before transmission. (Col.34; 52-64)

Regarding Claims 8-10, 33-35, 58-60 Kimoto disclosed A location reporting method as described in claims 1, 27, 49 respectively, wherein, after said down data is received, said location information is acquired and transmitted at predetermined intervals. (Col.40; 25-40).

Regarding Claims 11, 24, 36, 47 Kimoto disclosed A location reporting method as described in claims 1, 23, 27, 46 respectively, wherein, said acquiring step includes generating,

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by said mobile communication terminal, the location of said mobile communication terminal using a global positioning system. (Col.37; 47-57)

Regarding Claim 12, Kimoto disclosed A location reporting method as described in claim 1, wherein, said acquiring step includes the steps of: transmitting, by said mobile communication terminal, a request signal requesting a predetermined node of said mobile communication network to generate the location information; generating, by said predetermined node, the location information of said mobile communication terminal in response to said request signal and transmitting said location information to said terminal; and receiving, by said mobile communication terminal, the location information transmitted from said node. (i.e. an URL; col.56; 46-col.57; 25)

Regarding Claim 13, Kimoto disclosed A location reporting method as described in claim 12, further comprising the step of: receiving, by said mobile communication terminal, radio waves transmitted from a plurality of satellites constituting a global positioning system; wherein, said step of transmitting request signal includes transmitting information contained in a plurality of said received radio waves, together with said request signal; and wherein, said step of generating location information includes generating said location information using the information contained in said plurality of radio waves. (col.51; 22-36)

Regarding Claims 20, Kimoto disclosed A location reporting method as described in claims 1, 27 respectively, wherein, said computer is an information providing server for

providing said mobile communication terminal with location-related information relating to the location of said mobile communication terminal. (Col.37; 63-col.38; 12)

Regarding Claims 21, 25 Kimoto disclosed A location reporting method as described in claims 1, 23, respectively, wherein, said computer is a terminal connected to a network and capable of transmitting and receiving data by radio or wire. (Col.37; 63-col.38; 12)

Regarding Claims 22, 26 Kimoto disclosed A location reporting method as described in claims 1, 23, respectively, wherein, said mobile communication terminal is a portable telephone for performing phone conversations by radio. (Col.37; 63-col.38; 12)

Regarding Claim 23, Kimoto disclosed A location reporting method for reporting, to a predetermined computer, location information of a mobile communication terminal acquire in a mobile communication network serving the mobile communication terminal which is capable of performing radio communication, comprising the steps of: (i.e. In the information center 2E, the retrieving unit 22E retrieves corresponding information or service in the accumulating unit 21E on the basis of the request from the mobile terminal 1J, and the information/service transmitting unit 23E, takes out the retrieved information or service from the accumulating unit 21E, and sends the information or service to the mobile terminal 1J. The mobile terminal 1J accumulates the received information or service in the accumulating unit; col.27; 17-25)

Acquiring by said mobile communication terminal location information indicating said location of said mobile communication terminal for use by a destination mobile communication

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terminal; (i.e. The up-load data transmitting unit 13 transmits information or a service relating to the above position information as up-load data to the information center 2. The information/service utilizing unit 14 utilizes information or a service relating to the position information transmitted from the information center 2; col.16; 23-33)

    said mobile communication terminal retrieving from memory a pre-stored network address indicative of a server that provides map location information that is accessible by said destination mobile communication terminal in conjunction with said location information transmitting, by said mobile communication terminal, said prestored network address for receipt by said destination mobile communication terminal after adding said acquired location information to said prestored network address. (i.e. an URL; col.56; 46-col.57; 25)

Regarding Claim 37, Kimoto disclosed A mobile communication terminal as described in claim 27, wherein, said acquiring means includes: request transmitting means for transmitting a request signal requesting a predetermined node of said mobile communication network to generate the location information; and location information receiving means for receiving the location information transmitted, in response to said request signal, from said node. (i.e. an URL; col.56; 46-col.57; 25)

Regarding Claim 38, Kimoto disclosed A mobile communication terminal as described in claim 37, further comprising: means for receiving radio waves transmitted from a plurality of satellites constituting a global positioning system, wherein, said request signal transmitting

means transmits information contained in said plurality of received radio waves, together with said request signal. (col.51; 22-36)

Regarding Claim 39, Kimoto disclosed A mobile communication terminal as described in claim 27, wherein, said acquiring means is capable of acquiring location information by a plurality of different location measuring methods, and said down data contains information designating a location measuring method; wherein, said acquiring means includes means for selecting a location measuring method designated by said down data, from among said plurality of the location measuring methods; and wherein, said transmitting means transmits, carried on said up data, location information acquired by said acquiring means according to said selected location measuring method. (Col.37; 47-57)

Regarding Claim 41, Kimoto disclosed A mobile communication terminal as described in claim 39, wherein, said location measuring method includes either one of a method using a global positioning system, or a method of identifying a base station covering an area in which said mobile communication terminal is located. (Col.37; 47-57)

Regarding Claim 42, Kimoto disclosed A mobile communication terminal as described in claim 39, wherein said location information contains: latitude and longitude; or information based on an administrative classification. (Col.37; 47-57)

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Regarding Claim 45, Kimoto disclosed A mobile communication terminal as described in claim 27, wherein said mobile communication terminal is a portable telephone for performing phone conversations by radio. (Col.37; 63-col.38; 12)

Regarding Claim 46, Kimoto disclosed A mobile communication terminal served by a mobile communication network and reporting location information of itself to a predetermined computer, (i.e. In the information center 2E, the retrieving unit 22E retrieves corresponding information or service in the accumulating unit 21E on the basis of the request from the mobile terminal 1J, and the information/service transmitting unit 23E, takes out the retrieved information or service from the accumulating unit 21E, and sends the information or service to the mobile terminal 1J. The mobile terminal 1J accumulates the received information or service in the accumulating unit; col.27; 17-25) comprising:

Acquiring means for acquiring location information indicating a location of said mobile communication terminal for use by an arbitrary terminal; (i.e. The up-load data transmitting unit 13 transmits information or a service relating to the above position information as up-load data to the information center 2. The information/service utilizing unit 14 utilizes information or a service relating to the position information transmitted from the information center 2; col.16; 23-33) and

Transmitting means for adding said acquired location information to a network address of a server configured to supply map information based on said location information, said map information displayable by said arbitrary terminal, (i.e. an URL; col.56; 46-col.57; 25)

Wherein said transmitting means is configured to transmit said address and said location information for receipt by said arbitrary terminal to allow a present location of said mobile communication terminal to be mapped by said arbitrary terminal using said location information and said network address to obtain map information. (i.e. an URL; col.56; 46-col.57; 25)

***Response to Amendments & Arguments***

VI. *Applicant's arguments filed on 5/12/2006 have been fully considered but they are not persuasive.*

*Pertaining to Claims 1-11, 14-22 & 61:*

In rejoinder to Applicant's argument that Kimoto doesn't teach, "Receiving by a mobile communication terminal, from a computer through a mobile communication network, down data containing a request; Identifying with said mobile communication terminal a format of said down data; Acquiring at said mobile communication terminal location information indicating a location of said mobile communication terminal; Adding, at said mobile communication terminal, said acquired location information to said down data in accordance with said format of said down data, transmitting a resulting data to said computer as up data." it is noted that Kimoto supports the assertion as, If the user intends to obtain map information, town information or a service corresponding to the current position, as shown in FIG. 48, the user transmits a retrieval code of map information, town information or a service (a name showing a position such as "Shibuya" or the like or a systematical code of such name) that the user wants to take out to the

information center 5 from the mobile terminal 4 via the radio base station 6 over the public network 7 (Steps E1 through E3). The information center 5 finds out map information, town information or a service according to a corresponding position on the basis of the received retrieval code from a correspondence table 551 configured as the correspondence database 55, then sends back information linked to the above retrieval code to the mobile terminal 4 (Steps E4 through E6). In FIG. 48, reference numeral 6' denotes a connecting apparatus for connecting the radio base station 6 to the public network 7. As above, the correspondence table 551 prepared in the information center 5 enables all users of the service to utilize the correspondence database 55. A correspondence table 552 for each group that a user group can use may be provided in the information center 5 as shown in FIG. 49. In which case, if intending to obtain information according to a position of the mobile terminal 4, the user transmits a retrieval code of information that the user wants to take out ("Shibuya", "Ginza" or the like) to the information center 5 via the radio base station 6 over the public network 7 as described above with reference to FIG. 48, upon which the user adds a group code (\$1000, \$1001, or the like in FIG. 49) to the retrieval code. The information center 5 can thereby select link information (user1000.map or the like) that only the service users in the group can use on the basis of the received group code, and provide private information of the group to the user. Namely, the above correspondence database 55 has, similarly to the database 52, two sorts of storage units for specified users such as individual users, user groups and the like, and for all users, which can largely reduce a burden of maintenance and management of information in the correspondence database 55. The above correspondence table 551 may be, for example, provided on the side of the mobile terminal 4 as shown in FIG. 50. In which case, position information ("Shibuya", for example) inputted by the

user is automatically converted into a retrieval code (#001, for example) on the basis of the correspondence table 551, and the retrieval code is transmitted to the information center 5 (Steps F1 through F3). The information center 5 sends back map information, town information or a service corresponding to the received retrieval code (#001, for example) to the mobile terminal 4 (Steps F4 through F6). As above, providing the correspondence table 551 on the side of the mobile terminal 4 enables the user to individually make the table 551 so as to freely customize it. In the above items (1) through (5), the retrieval code is coincided with the CSID, then the CSID is transmitted to the information center 5. The above method is alternatively possible such that, as shown in FIG. 51, for example, the information center 5 first sends an area map (map information) showing an area in which the information center 5 is currently giving a service to the mobile terminal 4 when the mobile terminal 4 accesses to the information center 5 to prompt the service utilizer to conduct a retrieving operation (Steps G1 through G3). The user points a place whose information the user wants on the map displayed on the mobile terminal 4 so as to transmit a position pointed (screen coordinates) as a retrieval code (#001, #002 or the like) to the information center 5 (Steps G4 through G6). The information center 5 sends back a subdivided area map if existing on the basis of the received retrieval code. If not, the information center 5 sends back information according to the position. According to the above utilizing method, it is possible to exchange map information, town information or a service without the user and the operator of the information center 5 being conscious of identification information such as a CSID managed by the communication company. (Please perceive col.51; line 39-col.52; line 49)

Hence, it is believed that ***Kimoto still teaches the claimed limitations.***

Claims 23 & 46 are separately rejected as explained above.

The above arguments also recites for the claims 27-36, 39-45, 49-60, 62 consequently the response is the same explanation as set forth above with regard to claim 1.

With the intention of that explanation, it is believed and as enlighten above, the refutation are sustained.

***Conclusion***

VII. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on M-F. (8:30-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or [EBC@uspto.gov](mailto:EBC@uspto.gov).

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